



THE RICHMOND SOCIETY

Department of Business, Innovation and Skills
Consumer and Competition Policy Directorate
1 Victoria Street
London
SW1H 0ET

15 February 2013

Dear Sir/Madam,

Street Trading and Pedlary Laws: a joint consultation on draft regulations to repeal the Pedlars Acts (UK wide) and make changes to the street trading legislation in England, Wales and Northern Ireland

I write on behalf of the Richmond Society which is an amenity group covering Richmond town and its environs within the London Borough of Richmond upon Thames. The Society has nearly 1,000 members and the following consultation response is with the authority of the executive committee. The Society maintains regular contact with members to learn about and understand their views on important matters.

We have read the consultation and specific questions but most of these explicitly seek responses from Councils, the Police and pedlars, and they barely mention residents or communities. We are disappointed that the consultation seems largely to ignore the views of the local community and residents and their environment which surely must be taken into account in the required impact assessment. It seems the EU directive is being pursued from on high in a manner which is wholly at odds with the Government's objectives on localism.

Broadly our view is that we are opposed to the proposed changes to the way in which pedlars are currently controlled by our Richmond Council, which we understand is broadly in line with the management by the Group of 33 London Councils and indeed members of the Local Government Association. We are not opposed to the repeal of the Pedlars Act 1871 and 1881 if new legislation maintains or improves the current situation for residents and the community. We believe that this is also broadly the approach of our Council, the London Councils and the Local Government Association.

We can appreciate the concepts of eliminating barriers to trade and discrimination but there are potential costs to residents and communities and a balance needs to be struck. The proposals seem to concentrate on the benefits of de-regulation without taking account of the costs. In our experience itinerant street trading does take place when the authorities do not have the resources to enforce the rules at all times and locations across the borough. It would be a substantial burden on the community to have to fund a higher level of enforcement. When itinerant trading does occur in the town it is often regarded as a nuisance and an unjustified use of public space. That is not to say that some itinerant traders might be welcome but at the end of the day the activity needs to be licensed and not de-regulated in the manner proposed.

We understand that the proposals aim to allow 'genuine' pedlars to operate with the minimum number of restrictions and that under the new definition of pedlar they will be exempt from any form of certification or licensing.

In regard to the permanent street trading proposals we are opposed to any further restrictions being placed on our Council's flexibility in being able to determine whether or not to grant a street trading licence and the period of the licence. We are wholly opposed to any proposal for a reduction of the grounds for refusing a street trading application.

We would appreciate these comments being taken into account when the Government considers the proposals further.

Yours faithfully

Peter Willan, Chair, Town centre, licensing and related issues committee
for and on behalf of the Richmond Society